

State of Hawaii  
Department of Labor and Industrial Relations  
Office of Community Services

## **Request for Proposals**

**LBR 903-05\_17**

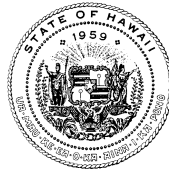
### **Weatherization Assistance Program for Low-Income Persons, Department of Energy Formula Grant**

August 2, 2016

**Note:** *It is the applicant's responsibility to check the public procurement notice website, the request for proposals website, or to contact the RFP point-of-contact identified in the RFP for any addenda issued to this RFP. The State shall not be responsible for any incomplete proposal submitted as a result of missing addenda, attachments or other information regarding the RFP.*

DAVID Y. IGE  
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DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS  
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Email: [dlir.ocs@hawaii.gov](mailto:dlir.ocs@hawaii.gov)

August 2, 2016

## **REQUEST FOR PROPOSALS (RFP)**

**SUBJECT: Weatherization Assistance Program for Low-Income Persons  
RFP LBR 903-05\_17**

Dear Applicant:

The Department of Labor and Industrial Relations, Office of Community Services (DLIR-OCS), is requesting proposals from qualified applicants to provide energy efficiency and conservation measure installation and client education for individuals and households whose income is at or below 200% of the Federal Poverty Guidelines for the State of Hawaii. Funding for this service is made available through the United States Department of Energy (U.S. DOE), Weatherization Assistance Program (WAP). This program assists low-income individuals and households by creating conditions that will lower their monthly utility costs, making them more self-sufficient.

Services shall include, but are not limited to, outreach, intake, and eligibility determination, selection of households that will be eligible for installation of major remediation measures on the basis of comparison of clients to ascertain who is "most in need," home energy audits according to U.S. DOE standards, purchase and procurement of efficiency measures, installation of efficiency measures or procurement of sub-contractors for installation, client education regarding the use of installed measures and general energy-saving behaviors, and post-installation check-ups to ascertain the effectiveness of the installation of remediation measures in reducing household energy costs. The contract term will be from October 1, 2016, through September 30, 2017. Single or multiple contracts may be awarded under this request for proposals.

Proposals may be mailed, provided that they are postmarked by the United States Postal Service (USPS) on or before September 1, 2016, and received no later than 10 days from the submittal deadline. Hand-delivered proposals shall be received no later than 4:30 p.m., Hawaii Standard Time (HST), on September 1, 2016, at the drop-off site designated on the Proposal Mail-in and Delivery Information Sheet. Proposals postmarked or hand delivered after the submittal deadline shall be considered late and rejected. There are no exceptions to this requirement.

Applicant  
August 2, 2016  
Page 2

The Office of Community Services will conduct an orientation on August 10, 2016, at 10:00 a.m. at 830 Punchbowl Street, Room 420, Honolulu, Hawaii or via conference call or the web (details are listed in Section 1.7). All prospective applicants are encouraged to attend the orientation.

The deadline for submission of written questions is 4:30 p.m. HST, on August 17, 2016. All written questions will receive a written response from the State on or about August 22, 2016.

Inquiries regarding this RFP should be directed to the RFP contact person, Lissa Onishi, at 830 Punchbowl Street, Room 420, Honolulu, Hawaii 96813, by telephone: (808) 586-8623, fax: (808) 586-8685, or e-mail at: [lissa.m.onishi@hawaii.gov](mailto:lissa.m.onishi@hawaii.gov). Mahalo for your interest and participation in the solicitation process. We look forward to working with you.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Rona M. Suzuki', written over a horizontal line.

Rona M. Suzuki  
Executive Director

# PROPOSAL MAIL-IN AND DELIVERY INFORMATION SHEET

**NUMBER OF COPIES TO BE SUBMITTED: Two (2) hard-copy original plus one electronic copy of the full proposal, including all attachments, on a computer flash drive (memory stick)**

ALL MAIL-INS SHALL BE POSTMARKED BY THE UNITED STATES POSTAL SERVICE (USPS) NO LATER THAN *September 1, 2016* and received by the State purchasing agency no later than 10 days from the submittal deadline.

## All Mail-ins

Office of Community Services  
830 Punchbowl St, Rm. 420  
Honolulu, HI 96813

## DLIR-OCS RFP COORDINATOR

Lissa Onishi  
Tel: (808) 586-8623  
Fax: (808) 586-8685  
E: [lissa.m.onishi@hawaii.gov](mailto:lissa.m.onishi@hawaii.gov)

ALL HAND DELIVERIES SHALL BE ACCEPTED AT THE FOLLOWING SITE UNTIL **4:30 P.M., Hawaii Standard Time (HST)**, *September 1, 2016*. Deliveries by private mail services such as FEDEX and postmarking by a privately held meter, such as a Pitney-Bowes meter or a dated USPS shipping label, shall be considered hand deliveries. Hand deliveries shall not be accepted if received after 4:30 p.m., *September 1, 2016*.

## Drop-off Site

*Office of Community Services  
830 Punchbowl Street, Rm. 420  
Honolulu, HI 96813*

# RFP Table of Contents

## Section 1 – Administrative Overview

1.1	Procurement Timetable.....	1-1
1.2	Website References .....	1-2
1.3	Authority .....	1-2
1.4	RFP Organization .....	1-3
1.5	Contracting Office .....	1-3
1.6	RFP Contact Person .....	1-3
1.7	Orientation .....	1-3
1.8	Submission of Questions .....	1-4
1.9	Submission of Proposals.....	1-4
	A. Forms/Formats .....	1-4
	B. Program Specific Requirements .....	1-4
	C. Multiple or Alternate Proposals .....	1-4
	D. Hawaii Compliance Express (HCE) .....	1-5
	E. Compliance with Wage Laws .....	1-5
	F. Campaign Contributions by State and County Contractors .....	1-5
	G. Confidential Information .....	1-5
1.10	Discussions with Applicants.....	1-6
	A. Prior to Submittal Deadline .....	1-6
	B. After Proposal Submittal Deadline .....	1-6
1.11	Opening of Proposals.....	1-6
1.12	Additional Materials and Documentation.....	1-6
1.13	RFP Amendments.....	1-7
1.14	Final Revised Proposals.....	1-7
1.15	Cancellation of Request for Proposals.....	1-7
1.16	Costs for Proposal Preparation .....	1-7
1.17	Provider Participation in Planning .....	1-7
1.18	Rejection of Proposals .....	1-7
1.19	Notice of Award .....	1-8
1.20	Protests.....	1-8
1.21	Availability of Funds .....	1-9
1.22	General and Special Conditions of the Contract.....	1-9
1.23	Cost Principles .....	1-9

## Section 2 – Service Specifications

2.1	Introduction.....	2-1
	A. Overview, Purpose or Need .....	2-1
	B. Planning Activities Conducted in Preparation for this RFP .....	2-1
	C. Description of the Service Goals .....	2-2
	D. Description of the Target Population to be Served.....	2-2
	E. Geographic Service Area .....	2-3

	F. Probable Funding Amounts, Source, and Period of Availability.....	2-3
2.2	General Requirements.....	2-3
	A. Specific Qualifications or Requirements .....	2-3
	B. Secondary Purchaser Participation .....	2-5
	C. Multiple or Alternate Proposals .....	2-5
	D. Single or Multiple Contracts to be Awarded .....	2-5
	E. Single or Multi-Term Contracts to be Awarded .....	2-5
2.3	Scope of Work .....	2-6
	A. Service Activities .....	2-6
	B. Management Requirements .....	2-9
2.4	Compensation and Method of Payment.....	2-12

### **Section 3 – Proposal Application Instructions**

3.1	General Instructions for Completing Applications .....	3-1
3.2	Program Overview .....	3-1
3.3	Experience and Capability .....	3-2
	A. Necessary Skills .....	3-2
	B. Experience.....	3-2
	C. Quality Assurance and Evaluation .....	3-2
	D. Coordination of Services.....	3-3
	E. Facilities .....	3-3
3.4	Staffing and Program Organization .....	3-3
	A. Staffing .....	3-3
	B. Program Organization .....	3-4
3.5	Service Delivery.....	3-4
	A. Client Services .....	3-5
	B. Installation Services .....	3-6
3.6	Financial.....	3-6
	A. Pricing Structure .....	3-6
	B. Accounting System.....	3-8
3.7	Other .....	3-9
	A. Litigation .....	3-9

### **Section 4 – Proposal Evaluation**

4.1	Introduction.....	4-1
4.2	Evaluation Process .....	4-1
4.3	Evaluation Criteria .....	4-2
	A. Phase 1 – Evaluation of Proposal Requirements .....	4-2
	B. Phase 2 – Evaluation of Proposal Application .....	4-2
	C. Phase 3 – Recommendation for Award .....	4-5

### **Section 5 – Attachments**

Attachment A. Proposal Application Checklist

Attachment B. Sample Table of Contents

Attachment C. Program Outcome and Measure Installation Proposal Table

Attachment D. Federal Certifications

# **Section 1**

## **Administrative Overview**



# Section 1

## Administrative Overview

**Applicants are encouraged to read each section of the RFP thoroughly. While sections such as the administrative overview may appear similar among RFPs, state purchasing agencies may add additional information as applicable. It is the responsibility of the applicant to understand the requirements of *each* RFP.**

### 1.1 Procurement Timetable

**Note that the procurement timetable represents the State's best estimated schedule. If an activity on this schedule is delayed, the rest of the schedule will likely be shifted by the same number of days. Contract start dates may be subject to the issuance of a notice to proceed.**

<u>Activity</u>	<u>Scheduled Date</u>
Public notice announcing Request for Proposals (RFP)	August 2, 2016
Distribution of RFP	August 2, 2016
RFP orientation session	August 10, 2016
Closing date for submission of written questions for written responses	August 17, 2016
State purchasing agency's response to applicants' written questions	August 22, 2016
Proposal submittal deadline	September 1, 2016
Proposal evaluation period	September 2 – 5, 2016
Notice of statement of findings and decision	September 6, 2016
Public hearing in accordance with 10 CFR 440.14 (a)	September 8, 2016
Provider selection	September 8, 2016
Contract start date	October 1, 2016

## 1.2 Website References

The State Procurement Office (SPO) website is <http://hawaii.gov/spo/>

	For	Click on “Doing Business with the State” tab or
1	Procurement of Health and Human Services	<a href="http://hawaii.gov/spo/health-human-svcs/doing-business-with-the-state-to-provide-health-and-human-services">http://hawaii.gov/spo/health-human-svcs/doing-business-with-the-state-to-provide-health-and-human-services</a>
2	RFP website	<a href="http://hawaii.gov/spo/general/procurement-notice-for-solicitations">http://hawaii.gov/spo/general/procurement-notice-for-solicitations</a>
3	Hawaii Administrative Rules (HAR) for Procurement of Health and Human Services	<a href="http://hawaii.gov/spo/general/statutes-and-rules/procurement-statutes-and-administrative-rules">http://hawaii.gov/spo/general/statutes-and-rules/procurement-statutes-and-administrative-rules</a>
4	Forms	<a href="http://hawaii.gov/spo/statutes-and-rules/general/spo-forms">http://hawaii.gov/spo/statutes-and-rules/general/spo-forms</a>
5	Cost Principles	<a href="http://hawaii.gov/spo/health-human-svcs/cost-principles-for-procurement-of-health-and-human-services">http://hawaii.gov/spo/health-human-svcs/cost-principles-for-procurement-of-health-and-human-services</a>
6	Standard Contract -General Conditions, AG103F13	<a href="http://hawaii.gov/spo/general/gen-cond/general-conditions-for-contracts">http://hawaii.gov/spo/general/gen-cond/general-conditions-for-contracts</a>
7	Protest Forms/Procedures	<a href="http://hawaii.gov/spo/health-human-svcs/protestsreqforreconsideration/protests-requests-for-reconsideration-for-private-providers">http://hawaii.gov/spo/health-human-svcs/protestsreqforreconsideration/protests-requests-for-reconsideration-for-private-providers</a>

### Non-SPO websites

(Please note: website addresses may change from time to time. If a link is not active, try the State of Hawaii website at <http://hawaii.gov>)

	For	Go to
1	Hawaii Compliance Express (HCE)	<a href="https://vendors.ehawaii.gov/hce/splash/welcome.html">https://vendors.ehawaii.gov/hce/splash/welcome.html</a>
2	Department of Taxation	<a href="http://hawaii.gov/tax/">http://hawaii.gov/tax/</a>
3	Wages and Labor Law Compliance, HRS §103-55	<a href="http://capitol.hawaii.gov/hrscurrent">http://capitol.hawaii.gov/hrscurrent</a>
4	Department of Commerce and Consumer Affairs, Business Registration	<a href="http://hawaii.gov/dcca">http://hawaii.gov/dcca</a> (click “Business Registration”)
5	Campaign Spending Commission	<a href="http://hawaii.gov/campaign">http://hawaii.gov/campaign</a>
6	Weatherization for Low-income Persons	<a href="http://www.ecfr.gov/cgi-bin/text-idx?tpl=ecfrbrowse/Title10/10cfr440">http://www.ecfr.gov/cgi-bin/text-idx?tpl=ecfrbrowse/Title10/10cfr440</a>
7	Weatherization program Notices	<a href="http://www.waptac.org">www.waptac.org</a>

## 1.3 Authority

This RFP is issued under the provisions of the Hawaii Revised Statutes (HRS) Chapter 103F and its administrative rules. All prospective applicants are charged with presumptive knowledge of all requirements of the cited authorities. Submission of a valid executed proposal by any prospective applicant shall constitute admission of such knowledge on the part of such prospective applicant.

## 1.4 RFP Organization

This RFP is organized into five sections:

**Section 1, Administrative Overview:** Provides applicants with an overview of the procurement process.

**Section 2, Service Specifications:** Provides applicants with a general description of the tasks to be performed, delineates provider responsibilities, and defines deliverables.

**Section 3, Proposal Application Instructions:** Describes the required format and content for the proposal application.

**Section 4, Proposal Evaluation:** Describes how proposals will be evaluated by the State purchasing agency.

**Section 5, Attachments:** Provides applicants with information and forms necessary to complete the application.

## 1.5 Contracting Office

The Contracting Office is responsible for overseeing the contract(s) resulting from this RFP, including system operations, fiscal agent operations, and monitoring and assessing provider performance. The Contracting Office is:

**Office of Community Services  
Department of Labor and Industrial Relations, State of Hawaii  
830 Punchbowl Street, Room 420  
Honolulu, Hawaii 96813  
Phone: (808) 586-8675 Fax: (808) 586-8685**

## 1.6 RFP Contact Person

From the release date of this RFP until the selection of the successful provider(s), any inquiries and requests shall be directed to the sole point-of-contact identified below.

Lissa Onishi  
Phone: (808) 586-8623  
Fax: (808) 586-8685  
Email: [lissa.m.onishi@hawaii.gov](mailto:lissa.m.onishi@hawaii.gov)

## 1.7 Orientation

An orientation for applicants in reference to the request for proposals will be held as follows:

<b>Date:</b>	<b><u>Wednesday, August 10, 2016</u></b>	<b>Time: <u>10:00 a.m.</u></b>
<b>Location:</b>	<b>Office of Community Services, Conference Room 830 Punchbowl Street, Room 420, Honolulu, HI 96813</b>	

**Via Web:** <https://global.gotomeeting.com/join/217270997>  
**Via Phone:** **Dial in: (872) 240-3412**  
**Access code: 217-270-997**

Applicants are encouraged to submit written questions prior to the orientation. Impromptu questions will be permitted at the orientation and spontaneous answers are provided at the State purchasing agency's discretion. However, answers provided at the orientation are only intended as general direction and may not represent the State purchasing agency's position. Formal official responses will be provided in writing. To ensure a written response, any oral questions should be submitted in writing following the close of the orientation, but no later than the submittal deadline for written questions indicated in the Section 1.8.

## **1.8 Submission of Questions**

Applicants may submit questions to the RFP point-of-contact identified in Section 1.6. Written questions should be received by the date and time specified in Section 1.1 Procurement Timetable. The State purchasing agency will respond to written questions by way of an addendum to the RFP.

Deadline for submission of written questions:

**Date:** August 17, 2016 **Time:** 4:30 p.m. HST

State agency responses to applicant written questions will be provided by:

**Date:** August 22, 2016

## **1.9 Submission of Proposals**

### **A. Forms/Formats**

Forms, with the exception of program specific requirements, may be found on the State Procurement Office website referred to in Section 1.2. Refer to Section 5 for the location of program specific forms.

### **B. Program Specific Requirements**

Program specific requirements are included in Sections 2 and 3, as applicable. Required Federal certifications are listed on the Proposal Application Checklist in Section 5.

### **C. Multiple or Alternate Proposals**

Multiple or alternate proposals shall not be accepted. In the event alternate proposals are not accepted and an applicant submits alternate proposals, but clearly indicates a primary proposal, it shall be considered for award as though it were the only proposal submitted by the applicant.

**D. Hawaii Compliance Express (HCE)**

All providers shall comply with all laws governing entities doing business in the State. Providers are encouraged to register with HCE for online compliance verification from the Hawaii State Department of Taxation (DOTAX), Internal Revenue Service (IRS), Department of Labor and Industrial Relations (DLIR), and Department of Commerce and Consumer Affairs (DCCA). There is a nominal annual registration fee (currently \$15) for the service. The HCE's online "Certificate of Vendor Compliance (CVC)" provides the registered provider's current compliance status as of the issuance date, and is accepted for both contracting and final payment purposes. Refer to Section 1.2 for HCE's website address. In lieu of the CVC, valid hardcopies of required certificates shall be provided by the applicant.

1. **Tax Clearance.** Pursuant to HRS §103-53, as a prerequisite to entering into contracts of \$25,000 or more, providers are required to have a tax clearance from DOTAX and the IRS. (See Section 1.2 for DOTAX and IRS website address.)
2. **Labor Law Compliance.** Pursuant to HRS §103-55, providers shall be in compliance with all applicable laws of the Federal and State governments relating to workers' compensation, unemployment compensation, payment of wages, and safety. (See Section 1.2 for DLIR website address.)
3. **DCCA Business Registration.** Prior to contracting, owners of all forms of business doing business in the state except sole proprietorships, charitable organizations, unincorporated associations and foreign insurance companies shall be registered and in good standing with the DCCA, Business Registration Division. Foreign insurance companies must register with DCCA, Insurance Division. More information is on the DCCA website. (See Section 1.2 for DCCA website address.)

**E. Compliance with Wage Laws**

By submitting a proposal, the applicant certifies that the applicant is in compliance with HRS §103-55, Wages, hours, and working conditions of employees of contractors performing services. Refer to HRS §103-55, at the Hawaii State Legislature website.

**F. Campaign Contributions by State and County Contractors**

HRS §11-355 prohibits campaign contributions from certain State or County government contractors during the term of the contract if the contractors are paid with funds appropriated by a legislative body.

**G. Confidential Information**

If an applicant believes any portion of a proposal contains information that should be withheld as confidential, the applicant shall request in writing nondisclosure of designated proprietary data to be confidential and provide justification to support confidentiality. Such data shall accompany the proposal, be clearly marked CONFIDENTIAL\*, and shall be readily separable from the proposal to facilitate eventual public inspection of the non-confidential sections of the proposal.

*\*Note that price is not considered confidential and will not be withheld.*

The State government is not bound by a claim of confidentiality. If a claim of confidentiality is made by an applicant, and a demand is made by another party for access to that information, the State will notify the applicant before responding to the demand.

## **1.10 Discussions with Applicants**

### **A. Prior to Submittal Deadline**

Discussions may be conducted with potential applicants to promote understanding of the State purchasing agency's requirements. For the reissuance of this RFP, proposals may be accepted without discussions, in accordance with HAR §3-143-403.

### **B. After Proposal Submittal Deadline**

Discussions may be conducted with applicants whose proposals are determined to be reasonably susceptible of being selected for award, but proposals may be accepted without discussions, in accordance with HAR §3-143-403.

## **1.11 Opening of Proposals**

Upon the State purchasing agency's receipt of a proposal at a designated location, proposals, modifications to proposals, and withdrawals of proposals shall be date-stamped, and when possible, time-stamped. All documents so received shall be held in a secure place by the State purchasing agency and not examined for evaluation purposes until the submittal deadline.

Procurement files shall be open to public inspection after a contract has been awarded and executed by all parties.

## **1.12 Additional Materials and Documentation**

Upon request from the State purchasing agency, each applicant shall submit additional materials and documentation reasonably required by the State purchasing agency in its evaluation of the proposals.

### 1.13 RFP Amendments

The State reserves the right to amend this RFP at any time prior to the closing date for final revised proposals.

### 1.14 Final Revised Proposals

If requested, final revised proposals shall be submitted in the manner and by the date and time specified by the State purchasing agency. If a final revised proposal is not submitted, the previous submittal shall be construed as the applicant's final revised proposal. *The applicant shall submit **only** the section(s) of the proposal that are amended, along with the Proposal Application Identification Form (SPOH-200).* After final revised proposals are received, final evaluations will be conducted for an award.

### 1.15 Cancellation of Request for Proposals

The RFP may be canceled and any or all proposals may be rejected in whole or in part, when it is determined to be in the best interest of the State.

### 1.16 Costs for Proposal Preparation

Any costs incurred by applicants in preparing or submitting a proposal are the applicants' sole responsibility.

### 1.17 Provider Participation in Planning

Provider(s), awarded a contract resulting from this RFP,

- ☒ are required  
☐ are not required

to participate in the State purchasing agency's future development of a service delivery plan pursuant to HRS §103F-203.

Provider participation in a State purchasing agency's efforts to plan for or to purchase health and human services prior to the release of a RFP, including the sharing of information on community needs, best practices, and providers' resources, shall not disqualify providers from submitting proposals, if conducted in accordance with HAR §3-142-202 and §3-142-203.

### 1.18 Rejection of Proposals

The State reserves the right to consider as acceptable only those proposals submitted in accordance with all requirements set forth in this RFP and which demonstrate an understanding of the problems involved and comply with the service specifications. Any proposal offering any other set of terms and conditions contradictory to those included in this RFP may be rejected without further notice.

A proposal may be automatically rejected for any one or more of the following reasons:

- A.** Rejection for failure to cooperate or deal in good faith. (HAR §3-141-201)
- B.** Rejection for inadequate accounting system. (HAR §3-141-202)
- C.** Late proposals (HAR §3-143-603)
- D.** Inadequate response to request for proposals (HAR §3-143-609)
- E.** Proposal not responsive (HAR §3-143-610(a)(1))
- F.** Applicant not responsible (HAR §3-143-610(a)(2))

### **1.19 Notice of Award**

A statement of findings and decision shall be provided to all applicants by USPS mail upon completion of the evaluation of competitive purchase of service proposals.

Any agreement arising out of this solicitation is subject to the approval of the Department of the Attorney General as to form, and to all further approvals, including the approval of the Governor, required by statute, regulation, rule, order, or other directive.

No work is to be undertaken by the provider(s) awarded a contract prior to the contract commencement date. The State of Hawaii is not liable for any costs incurred prior to the official starting date.

### **1.20 Protests**

Pursuant to HRS §103F-501 and HAR Chapter 148, an applicant aggrieved by an award of a contract may file a protest. The Notice of Protest form, SPOH-801, is available on the SPO website (See Section 1.2). Only the following matters may be protested:

- A.** A State purchasing agency's failure to follow procedures established by HRS Chapter 103F;
- B.** A State purchasing agency's failure to follow any rule established by HRS Chapter 103F; and
- C.** A State purchasing agency's failure to follow any procedure, requirement, or evaluation criterion in a request for proposals issued by the State purchasing agency.

The Notice of Protest shall be postmarked by USPS or hand delivered to 1) the head of the State purchasing agency conducting the protested procurement and 2) the procurement officer who is conducting the procurement (as indicated below) within five working days of the postmark of the Notice of Findings and Decision sent to the protestor. Delivery services other than USPS shall



be considered hand deliveries and considered submitted on the date of actual receipt by the State purchasing agency.

<b>Head of State Purchasing Agency</b>	<b>Procurement Officer</b>
Name: Linda Chu Takayama	Name: Joy Kobayashi
Title: Director	Title: Procurement Officer
Mailing Address: 830 Punchbowl Street, Room 321, Honolulu, HI, 96813	Mailing Address: 830 Punchbowl Street, Room 420, Honolulu, HI, 96813
Business Address: Same	Business Address: Same

## **1.21 Availability of Funds**

The award of a contract and any allowed renewal or extension thereof, is subject to allotments made by the Director of Finance, State of Hawaii, pursuant to HRS Chapter 37, and subject to the availability of Federal funds.

## **1.22 General and Special Conditions of Contract**

The general conditions that will be imposed contractually are on the SPO website (See Section 1.2). Special conditions may also be imposed contractually by the State purchasing agency, as deemed necessary.

## **1.23 Cost Principles**

In order to promote uniform purchasing practices among State purchasing agencies procuring health and human services under HRS Chapter 103F, State purchasing agencies will utilize standard cost principles outlined in Form SPOH-201, which is available on the SPO website (See Section 1.2). Nothing in this section shall be construed to create an exemption from any cost principle arising under federal law.

## **Section 2**

# **Service Specifications**

## Section 2

### Service Specifications

#### 2.1 Introduction

##### A. Overview, Purpose, or Need

The U.S. DOE WAP enables low-income households to reduce their energy costs by making their homes more energy efficient. During the past 40 years, WAP has provided weatherization services to more than 7 million low-income households. Families receiving weatherization services see their annual energy bills reduced by an average of about \$480, depending on fuel prices.

The latest data from the U.S. Census Bureau indicates that the State of Hawaii has an estimated population of 1,431,603 in the year 2015. Of this estimated number, 93,055 are children under 5 years old and 236,215 are elderly (65 years and over). Of the total population, an estimated 11.4% (or 163,203 individuals) are living below the poverty level.

The national average cost of residential electricity per kilowatt hour in 2016 was 12.80 cents, but in Hawaii the statewide average was 26.87 cents per kilowatt-hour, which is more than double the national average (U.S. Energy Information Administration, 2016). Neighbor Island rates are higher than Oahu's: the rates were 25.50 cents on Oahu, 29.30 cents on Maui, 29.80 cents on Molokai, 34.10 cents on Lanai; 30.50 cents on Hawaii island, and 32.10 cents on Kauai.

The assistance received through WAP allows the people qualified under this program to permanently reduce their energy bills by making their homes more energy efficient. Furthermore, this program will increase the self-sufficiency of low-income households by reducing their overall utility costs and teaching energy conservation behaviors designed to empower citizens to minimize energy usage.

In Hawaii, DLIR-OCS has administered WAP for approximately 30 years, installing solar hot water heaters (SWHs), energy efficient refrigerators to replace old ones, compact fluorescent light bulbs (CFLs) to replace incandescent light bulbs, low-flow shower heads, water heater timers, and other remedial measures.

##### B. Planning Activities Conducted in Preparation for this RFP

To design the service, DLIR-OCS has:

1. Issued an Request for Information in accordance with HAR §3-142-202;
2. Submitted a Weatherization Assistance Program State Plan to the U.S. DOE;

3. Considered the views of service recipients and community advocacy organizations on conditions affecting the achievement of mandated goals; and
4. Updated service specifications based upon Federal Guidance.

### **C. Description of the Service Goals**

The primary goal is to provide weatherization services to those low-income Hawaii residents who are most vulnerable to rising energy costs. Priority is given to:

- Elderly persons;
- Persons with disabilities;
- Families with children under the age of five (5);
- High residential energy users (as defined by 10 CFR 440.3); and
- Households with a high energy burden (as defined by 10 CFR 440.3).

### **D. Description of the Target Population to be Served**

In determining the eligibility for weatherization assistance, DLIR-OCS complies with 10 CFR 440.16, which requires that priority be given to elderly persons, persons with disabilities, families with children, high residential energy users, and households with a high energy burden. Preference shall be given to agencies that address the needs of areas with high unemployment, low-income, and economic depression.

DLIR-OCS will require that weatherization assistance from U.S. DOE funds is provided to a family unit:

1. Who is at or below 200% of the Federal Poverty Guidelines for Hawaii, as established by the U.S. Department of Health and Human Services (<http://aspe.hhs.gov/poverty/14poverty.cfm>); or
2. Who is a household containing a member who has received cash assistance payments under Title IV or XVI of the Social Security Act during the 12-month period preceding the determination of eligibility.

It is essential that service providers develop and apply a methodology that awards major remediation services only to those households that are most in need of such services. Income eligibility at 200% of the Federal Poverty Guidelines is a preliminary requirement, but it is not sufficient in itself for provision of major remediation services. Service providers must concentrate on households that have truly serious needs.

**E. Geographic Service Area**

The geographic service area will be the entire state of Hawaii. This includes the Counties of Hawaii, Maui, Honolulu, and Kauai.

Applicants may identify a specific geographic area they propose to serve if not applying for a statewide grant.

All applicants must clearly demonstrate the capacity and capability to serve the geographic areas identified in their response.

**F. Probable Funding Amounts, Source, and Period of Availability**

A total of \$313,046 of U.S. DOE WAP funds will be available for Federal Fiscal Year 2017. Fund availability ends on September 30, 2017.

The following budget, expenses, and completions are anticipated:

Administrative funds (expended by State)	\$10,300.00
Administrative funds (expended by subgrantee)	\$31,587.00
Training and Technical Assistance (expended by State)	\$10,000.00
Training and Technical Assistance (expended by subgrantee)	\$21,973.00
Total funds available to weatherize homes	\$239,186.00

Estimated number of units to be completed: 34

The State reserves the right to reallocate WAP funds at any time during the program year among local awardees if a provider is unable to meet WAP program requirements, cancels its weatherization contract, or if excess funds become available after all weatherization obligations are fulfilled under the existing budget.

**2.2 General Requirements****A. Specific Qualifications or Requirements**

1. The applicant must be a community action agency or other public or nonprofit entity. Preference shall be given to community action agencies or other public or nonprofit entities that are currently administering an effective WAP program or programs funded under Title II of the Economic Opportunity Act of 1964, with program effectiveness evaluated by consideration of factors including, but not necessarily limited to, the following:

- a. The extent to which the past or current program achieved or is achieving weatherization goals in a timely fashion;

- b.** The quality of work performed by the subgrantee (The State receives Federal funds from U.S. DOE and is thus the grantee; the State then awards funds competitively to subgrantees);
  - c.** The number, qualifications, and experience of the staff members of the subgrantee; and
  - d.** The ability of the subgrantee to secure volunteers, training participants, public service employment workers, and other Federal or State training programs.
- 2.** The applicant shall hold all licenses, permits, and accreditations, and meet all standards required by applicable Federal, State, and County laws, ordinances, codes, and rules to provide services. The applicant shall also be in good standing with required licensing bodies and in compliance with professional standards and requirements.
- 3.** The applicant agrees to have the WAP for low-income persons in operation and begin providing services for Program Year 16 on October 1, 2016, and complete all program activities by September 30, 2017.
- 4.** The applicant shall comply with HRS Chapter 103F, Cost Principles for Purchases of Health and Human Services identified in SPOH-201, which can be found on the SPO website (See Section 1.2). Costs must be allowable in accordance with the applicable Federal cost principles referenced in 10 CFR Part 600.
- 5.** The applicant must provide reasonable accommodations to assure capacity to deliver services to those clients with physical limitations.
- 6.** The applicant must assure and be responsible for the continuity of service activities in the event of staff illness, medical emergencies, vacancies, or other situations that result in program resources that are less than proposed and contracted for. The applicant must not require or depend on the State agency's staff to provide service activities if program resources are not available due to any of the above situations.
- 7.** The applicant must use credible and tested measurement tools to evaluate program effectiveness in achieving outcomes.
- 8.** The applicant shall develop and implement procedures to document clients' income eligibility for these services and apply a methodology that awards major remediation services to those households most in need.
- 9.** The applicant shall protect whistleblowers and require prompt referral of evidence of a false claim to the State.

10. When a disagreement arises between the subgrantee and the State with respect to the performance of specific service activities within contracted specifications, the wishes of the State shall prevail. Failure on the part of the subgrantee to comply shall be deemed cause for corrective action and subject to contractual remedies.

**B. Secondary Purchaser Participation**

(Refer to HAR §3-143-608)

After-the-fact secondary purchases will be allowed.

Planned secondary purchases

None

**C. Multiple or Alternate Proposals**

(Refer to HAR §3-143-605)

☐ Allowed ☒ Unallowed

**D. Single or Multiple Contracts to be Awarded**

(Refer to HAR §3-143-206)

☐ Single ☐ Multiple ☒ Single & Multiple

Criteria for multiple awards:

If it is deemed advantageous and in the best interests of the State, multiple awards may be approved by the awarding agency. The “best interest” of the State is advanced when all geographic areas solicited for are served and the overall combination of costs and responsibilities result in the most funding being used on program activities. For example, if no single applicant can provide the required services, multiple awards may be made to service gap areas. Similarly, if a single provider can cover the entire geographic area and this arrangement results in decreased State administrative costs, a single provider may be selected.

**E. Single or Multi-Term Contracts to be Awarded**

(Refer to HAR §3-149-302)

☒ Single term (2 years or less) ☐ Multi-term (more than 2 years)

Contract terms:

Upon award, the contract is expected to run from October 1, 2016, to September 30, 2017. The initial period shall commence on the contract start date or Notice to Proceed, whichever is later. The awardee shall have continuing duties that extend

into the post-contract period, such as record-retention, audit, monitoring, and cooperation in any investigations.

## 2.3 Scope of Work

The scope of work encompasses the following tasks and responsibilities:

### A. Service Activities

The applicant must describe the service area and the agency's capacity and experience to perform the following services:

#### 1. Client Services

- a. **Outreach and Intake** – The applicant must state its ability to conduct community outreach activities to the general public by providing information to the eligible population, resulting in program interest and multiple applications for services. A detailed outreach plan must be prepared that includes the activities that will be conducted to provide the communities with information about the program. A comprehensive intake system must determine each client's eligibility according to U.S. DOE guidance and any other additional requirements mandated by the State to ensure that major remediation services are rendered only to those who are most in need of such services. These criteria include all applicable poverty determinations and guidelines and the sources of household support included or excluded as income.
- b. **Client Eligibility and Selection for Remediation Services** – In determining the eligibility of weatherization assistance, DLIR-OCS complies with 10 CFR 440.16, which indicates that priority be given to elderly persons, persons with disabilities, families with children, high residential energy users, and households with a high energy burden. Preference shall be given to agencies that address the needs of areas with high unemployment, low-income, and economic depression.

All interested client applicants are required to complete an application to qualify for weatherization assistance.

DLIR-OCS will ensure, through program monitoring (desk and on-site), that weatherization assistance from U.S. DOE funds are provided to a family unit who is at or below 200% of the Federal Poverty Guidelines for Hawaii, as established by the U.S. Department of Health and Human Services (see table below), or households containing a member who has received cash assistance payments under Title IV or XVI of the Social Security Act during the 12-month period preceding the determination of eligibility.



**2016 POVERTY  
GUIDELINES  
FOR HAWAII Size  
of Family Unit**

	<b>Threshold</b>	<b>200%</b>
1	\$13,670	\$27,340
2	\$18,430	\$36,860
3	\$23,190	\$46,380
4	\$27,950	\$55,900
5	\$32,710	\$65,420
6	\$37,470	\$74,940
7	\$42,230	\$84,460
8	\$47,010	\$94,020

Per WPN 16-3 for families with more than 8 persons, 100% of poverty level increases \$4,780 for each additional person. Therefore, for weatherization at 200% of poverty level, add \$9,560 for each additional person.

The greatest expenditure of WAP funds will be for the installation of major energy-saving appliances, namely SWHs, hybrid solar water heaters, small room air conditioners and energy-efficient refrigerators to substitute for refrigerators that have high energy consumption. These appliances have high individual costs – approximately \$6,000 for each SWH installed and approximately \$1,000 per refrigerator. WAP guidance requires consideration of the following factors, at a minimum, in addition to income eligibility: the number of persons in the household; whether any of the persons in the household are elderly, disabled, or young children; and whether the household has high energy costs even after other remediation actions have been taken (e.g., installation of power strips, CFLs, water-saving showerheads and similar remediation). Client selection for these major measures should favor those clients who have the lowest incomes, rather than treating all income-eligible persons as being equally eligible, with respect to the income factor. Further, with respect to rental housing, the applicant shall require the property owner to sign a cooperation agreement refraining from evicting the tenant (except for specific good reasons), or increasing the rent and otherwise requiring landlord cooperation in supporting the goals of these WAP remediation measures. In order to leverage the WAP funding, preference as among installations in rental units should be given to individuals or households where the property owner is willing to make a matching financial contribution toward the cost of the installation.

- c. **Building Eligibility** – In the state of Hawaii, structures that are eligible for weatherization include single-family homes and multi-family buildings. For weatherization of multi-family buildings, income eligible person must occupy no less than 66% of the units.

Prior to the weatherization of any unit, documentation shall be obtained, using a customized service provider form certifying that the household meets eligibility criteria as provided in 10 CFR 440.22 and the Hawaii Weatherization State Plan. Income is not to exceed 200% of the Federal poverty level in accordance with criteria established by the Office of the Secretary, U.S. Department of Health and Human Services.

#### *Dwelling Eligibility*

Subgrantees are required to retain records of all weatherized dwellings, including the address of the weatherized home, date of weatherization and a description of U.S. DOE and other funds used for weatherization in a particular dwelling. Except in rare instances of approved callbacks, as authorized under WPN11-03, no dwellings weatherized after September 30, 1994 using U.S. DOE funds will receive additional WAP service using U.S. DOE funds. Dwellings weatherized prior to that cutoff date may be reweatherized if the household in the dwelling is currently eligible and a current energy audit documents that additional cost effective work can be performed.

#### *Rewweatherization*

Homes that have been previously weatherized will not be eligible for reweatherization except in accordance with 10 CFR 440.18(e) (2), or those damaged by fire, flood, or act of God as specified in 10 CFR 440.18 (f) (2) (ii). In cases where a previously assisted unit has been damaged by fire, flood or other natural disaster, assistance can be provided with prior approval from DLIR-OCS. Generally, assistance will only be provided to pay for damage not covered by insurance.

- d. **Energy Conservation Education** – The applicant must have an energy conservation awareness plan in place and must be able to convey the purpose and use of each energy efficiency or health and safety device to each client serviced. This education should also be sufficient for each client to understand basic energy conservation behavior, the composition of their electric bill, and other factors affecting overall energy usage. The education portion may also include assistance with access to other utility subsidies or services.

Energy conservation education under this program should not be limited to those clients who receive major installation measures, but should be designed to reach as many persons in the client community as is reasonably practical.

## **2. Installation Services**

- a. **Dwelling Unit Assessment and Energy Audit** – Upon determining the eligibility of a client (individual or household) and selecting the client as

within the class of “most in need,” the applicant must have a process in place to conduct an energy audit of each dwelling to determine energy efficiency measures appropriate for the dwelling unit and pertinent health and safety issues possibly arising from appliances or equipment installed or missing from the household. DLIR-OCS has completed Hawaii’s Weatherization Field Guide and it has been approved by the U.S. DOE. The Hawaii Weatherization Field Guide aligns with the U.S. DOE’s Standard Work Specifications (SWS) and provides guidance to the subgrantees, auditors, installers, and subcontractors in order to ensure compliance with both Federal and State regulations for weatherization measures. The applicant should describe its capacity to carry out health and safety risk mitigation in the context of their budget request. The assessment should consider the Hawaii priority list most recently approved by the U.S. DOE.

- b. Installation of Energy Devices or Health and Safety Devices** – The applicant must have the capacity or be able to generate or procure the capacity to install all devices appropriate to each home. The work must be performed by licensed individuals, follow the Hawaii Weatherization Field Guide, and be completed within the first six months of contract start date to accurately assess the energy savings.
- c. Installation of Minor Remediation Measures** – In addition to making major installations, which are limited in number due to cost, the applicant shall also endeavor to install minor appliances, such as low-flow showerheads, power strips, CFLs, and similar energy-saving devices that are currently available.
- d. Post-Installation Monitoring and Follow-Up** – The applicant shall monitor the electrical utility billings of all households that receive major remediation measures (i.e., SWHs, refrigerators) to ascertain whether the households are experiencing adequate reductions in energy usage. If energy usage does not decline by at least 20% on a monthly average, determined at the third month after installation, the applicant shall meet with the client to ascertain why the targeted level of improvement has not been achieved and shall work with the client to help improve the outcome. The applicant shall report to DLIR-OCS all instances in which the targeted level of improvement has not been achieved and provide an explanation of the situation.

## **B. Management Requirements**

- 1. Personnel** – Personnel retained (including subcontractors and volunteers) or assigned to this service shall have all necessary licenses and specialized skills appropriate to the applicant’s proposed services. These licenses and skills include, but are not limited to, general contractor’s license, subcontractor’s

license, certified energy auditor, and qualified inspector on Hawaii's weatherization measures.

Position descriptions and policies and procedures must ensure the safety and skill of the individual assigned a certain task. Position descriptions should reflect the program activities supported or engaged in by the personnel responsible and necessary education or certification. Policies and procedures should establish behaviors appropriate for the service.

2. **Quality Assurance and Evaluation Specifications** – The applicant shall have a written quality assurance plan, including procedures to assure that its services are provided in conformance with all Federal, State, and County requirements, the requirements of this RFP and Purchase of Service (POS) contracts.

The plan shall include procedures to monitor administrative, program, and fiscal operations for compliance with all requirements. It shall also provide for procedures to determine whether clients receive consistent, high quality services. The quality assurance plan shall identify roles and responsibilities for on-going implementation.

The applicant shall have a written plan for evaluation of performance in providing the required services, including procedures and methodology to measure, monitor, and collect data on outcomes and to evaluate the outcomes and other results of its services. The evaluation plan must also include procedures to identify and resolve problems and make improvements to the program as needed. The evaluation plan shall identify staff roles and responsibilities for assuring on-going implementation.

The applicant must also indicate the specific measurement tool(s) and procedures that will be utilized to document and verify that each proposed program outcome was accomplished.

DLIR-OCS will conduct a comprehensive annual monitoring of each subgrantee at least once during the contract period or shortly after closeout. Monitoring by DLIR-OCS shall include an on-site visits with comprehensive evaluation of several areas of performance. The comprehensive monitoring will include a review of client files and subgrantee records, as well as an inspection of at least 10% of the completed units. By contract close or as soon as practicable thereafter, the State will have completed a comprehensive review of each subgrantee, including review of its latest financial audit.

3. **Performance Outcome Measurements** – The applicant shall set forth the following performance outcomes that it expects to achieve. The performance outcomes reported to DLIR-OCS for each specific activity must be a direct result of the funding of this program by DLIR-OCS.

- a. **Dwelling Units & Costs of Devices Installed**
  - Number of dwelling units and households assessed for program eligibility.
  - Number of dwelling units and households qualifying for installation.
  - Number of dwellings for which major installations are made (i.e., SWHs or refrigerators & reducing energy costs by 20%).
  - Number of dwellings for which minor installations are made (i.e., CFLs, power strips & low-flow shower heads).
  - Number of dwelling units affected by the program in which energy costs are reduced.
  - Number of households receiving energy conservation education.
- b. **Energy Saving Devices & Costs of Devices Installed**
  - Number of energy saving devices installed, by device.
  - Cost of energy saving devices installed, by device.
4. **Experience** – A minimum of one year experience in providing weatherization or similar services is preferred.
5. **Coordination of Services** – The applicant shall strive to develop meaningful dialogue and collaboration with other agencies performing similar or complimentary services. The applicant should describe the agencies, if any, that it will coordinate its services with and indicate those which it already has established partnerships.
6. **Reporting Requirements for Fiscal Data and Program** – Monthly program progress and fiscal reports are required within 30 calendar days after the last day of each month. The final report for the total contract period is required 60 calendar days after the last day of the contract period.

The monthly and final fiscal reports shall describe fiscal performance, particularly comparing its budgeted expenditures to actual expenditures, and identifying and explaining the reasons for variances.

The monthly and final program reports shall include narrative clearly and fully reporting on the following activities during the reporting period on each item:

**Overall Performance:** Number of units completed, cost of completed unit(s) (by unit), number of people assisted, and energy savings by unit.

**Outreach:** Number and description of all outreach events and number of persons who made written applications for WAP services.

**Intake/Client Selection:** Describe how clients were selected and steps taken to ensure that the dwelling unit and household are eligible for weatherization. (Selection criteria from 10 CFR 440.16 and 10 CFR 440.22).

**Major and Minor Installations:** Describe in detail steps taken for each households receiving major and minor installations and the status of the installations (i.e., energy audit received, weatherization measure installed, unit completed). Identify neighborhoods, typical income patterns, etc. (Refer to 10 CFR 440.18, 440.19, and 440.20.)

**Monitoring and Follow-Up on Major Installations:** Report on reviews of post-installation electricity billings for households that received major installations in the first six months of the program, comparisons of new billings against pre-installation billings, and actions taken to contact clients and discuss issues where the post-installation billings fail to reflect significant reductions in electricity usage of 20% or better. (Refer to WPN 12-5)

**Consumer Education:** Describe all consumer education events relating to energy conservation and other wise uses of energy hosted during the reporting period. For each event, identify the target community, number of persons reached, topics discussed, and literature distributed.

## 2.4 Compensation and Method of Payment

Payment for services shall be on a fee-for-service, performance-based basis. For installations, the awardee will be reimbursed for the actual cost of the measure plus the installation. In accordance with U.S. DOE rules, the cost of installations for each household may not exceed \$7,105. Additional restrictions on total percentages of administrative costs, health and safety costs, and training levied by the U.S. DOE or the State may apply. Administrative and other non-program or indirect costs will be released commensurate with actual outcomes achieved.

Reimbursement shall be made monthly upon submission by the applicant of monthly fiscal report using Form 300 (Cash Request) with Form 310 (Expenditure Report) and other supporting documents. These requests will not be accepted unless they are completed accurately, signed by authorized person(s) and have appropriate support documentation attached. The State may retain some or all of each payment requested by the applicant. No advance payments will be allowed.

Payment of the retained amount shall be made based upon satisfactory acceptance of: (1) written monthly fiscal and program progress reports with supporting documentation and (2) written final fiscal and final program progress reports. The reports shall be reviewed by the State and shall be subject to the State's preliminary determination of appropriateness and allowability of the reported expenditures. The State's preliminary determination of appropriateness and allowability of the reported expenditures shall be subject to verification and subsequent audit. All proposed costs shall be as allowed by

HRS Chapter 103F, Cost Principles for Purchases of Health and Human Services, in form SPOH-201 provided on the SPO website.

## **Section 3**

# **Proposal Application Instructions**



## Section 3

### Proposal Application Instructions

#### 3.1 General Instructions for Completing Applications

- *Proposal Applications shall be submitted to the State purchasing agency using the prescribed format outlined in this section.*
- *The numerical outline for the application, the titles/subtitles, and the applicant organization and RFP identification information on the top right hand corner of each page should be retained. The instructions for each section however may be omitted.*
- *Page numbering of the Proposal Application should be consecutive, beginning with page one and continuing through for each section. See sample table of contents in Section 5.*
- *Proposals may be submitted in a three ring binder (Optional).*
- *Tabbing of sections (Recommended).*
- *Applicants must also include a Table of Contents with the Proposal Application. A sample format is reflected in Section 5.*
- *A written response is required for **each** item unless indicated otherwise. Failure to answer any of the items will impact upon an applicant's score.*
- *Applicants are **strongly** encouraged to review evaluation criteria in Section 4 when completing the proposal.*
- *Form SPOH-200A is available on the SPO website (Refer to Section 1.2). However, the form will not include items specific to each RFP. If using the website form, the applicant must include all items listed in this section.*

#### The Proposal Application is Comprised of the Following Sections:

- *Proposal Application Identification Form*
- *Table of Contents*
- *Program Overview*
- *Experience and Capability*
- *Staffing and Program Organization*
- *Service Delivery*
- *Financial*
- *Other*

#### 3.2 Program Overview

Applicant shall give a brief overview to orient evaluators as to the program/services being offered. This overview will offer general information as to the structure and methodology of services. This section will not be scored.

### **3.3 Experience and Capability**

#### **A. Necessary Skills**

The applicant shall identify and demonstrate capability to perform the necessary skills, abilities, and knowledge relating to the delivery of the proposed services.

#### **B. Experience**

The applicant shall provide a description of projects/contracts pertinent to the proposed services that demonstrates experience.

The applicant shall provide a brief description and listing of past and current programs and contracts pertinent to providing weatherization assistance to low-income that includes the following information: the contracting agency, contact person, address, telephone number or e-mail address, contract/program title, contract period, funding amount, and performance outcomes. In addition, the applicant shall provide a copy of relevant reports or information relating to contract/program performance.

The State reserves the right to contact references to verify experience and other qualifications.

#### **C. Quality Assurance and Evaluation**

The applicant shall demonstrate that it has a written quality assurance plan that effectively measures, monitors, and evaluates program performance and detects and addresses issues/problems in a timely manner.

Written policies and procedures are required for all of the services including personnel standards, operating procedures, determination of client eligibility, documentation, record keeping, data gathering, reporting, financial administration, quality assurance, and monitoring and evaluation.

The applicant is required to have a written plan for evaluation of performance and an on-going planning and evaluation process for these services.

Specifically, the applicant must provide: (1) a written quality assurance plan sufficient to assure consistent and high quality of administration and services, and (2) a written evaluation plan to effectively measure, monitor, and evaluate program performance and timely detect and resolve program problems. The applicant shall describe what evidence or documentation will be used to verify program accomplishments. These plans may be program-specific or agency wide, but must be proved sufficient to adequately address the quality and evaluation needs of the program outcomes.

#### **D. Coordination of Services**

The applicant shall demonstrate the capability to coordinate services with other agencies and resources in the community. The applicant will describe proposed partnerships or cooperative agreements with other public or private agencies that will assist the applicant in providing high quality WAP services.

As applicable to the program, provide a list of organizations, cooperating entities, consultants, or other key individuals who will work on the project along with a short description of the nature of their effort or contribution (i.e., contractors, plumbers, et al.).

If letters of support are submitted, include only letters that establish a specific commitment of time, money, personnel, space, or resources to the program by the agency supporting the program. Include only letters that are absolutely necessary to support your proposal or that will enhance the program.

#### **E. Facilities**

The applicant shall provide a description of its facilities and demonstrate its adequacy in relation to the proposed services. If facilities are not presently available, describe plans to secure facilities. Also describe how the facilities meet applicable Americans with Disabilities Act (ADA) requirements and special equipment that may be required for the services. If the applicant believes facilities are not necessary to carry out the program, they may suggest and explain in the proposal.

### **3.4 Staffing and Program Organization**

#### **A. Staffing**

The applicant shall describe the proposed staffing assignments, client/staff ratio, and proposed caseload capacity appropriate for the viability of the services. The applicant shall demonstrate that applicant's assignment of staff would be sufficient to effectively administer, manage, supervise, and provide the required services.

The applicant shall provide the minimum qualifications (including experience) for staff assigned to the program. The applicant shall provide resumes, employment history, responsibilities, program experience, and significant accomplishments for each staff member.

If the applicant proposes the use of subcontractors, the applicant shall fully explain, justify, and demonstrate any proposed use of a subcontractor to be as or more effective than agency staff for the provision of the required services; demonstrate that a proposed subcontractor is fully qualified for the specific work that would be subcontracted, by including description of the proposed subcontractor's experience,

capability, project organization, staffing, and proposed services as set forth for applicants in these RFPs; and explain how applicant would assure quality and effectiveness of the subcontractor, monitor and evaluate the subcontractor and assure compliance with all of the requirements of the RFP.

If the applicant proposes to use volunteers, the applicant shall fully explain, justify, and demonstrate any proposed use of a volunteer to be as effective as in-house staff for the provision of the required services; demonstrate that proposed volunteers are or would be fully qualified for the specific work assigned, are reliable, and would be available when and where needed to provide the required services; explain how applicant will provide sufficient management, supervision, oversight, and evaluation of volunteers and otherwise assure their work quality and effectiveness; and explain how applicant will assure that volunteers perform in compliance with the requirements of the RFP.

## **B. Program Organization**

The applicant shall provide an “Organization-wide” chart that shows the program placement of the required services within the overall agency, and a “Program” organization chart that shows the lines of communication between program administration and staff. Written explanations of both organization charts shall be included. The applicant shall reflect the position of each staff and line of responsibility/supervision (include the position title, name and full-time equivalency on the description).

The applicant shall explain how the program organization and assignment of personnel are sufficient for the effective administration, management, supervision, and provision of services to meet the projected requirements of this RFP. This includes ability to supervise, train and provide administrative direction to staff, volunteers, or subcontractors relative to the delivery of the proposed services.

The applicant shall propose a clear plan for reviewing the qualifications and effectiveness of existing qualified staff and qualified subcontractors.

## **3.5 Service Delivery**

The applicant shall describe and justify its overall approach and methodology in addressing the need identified in this RFP, including a logical step-by-step progression of proposed program services from start to finish. The proposal should address all service locations, tasks, activities, time lines, milestones, and other pertinent information. Time lines should include goals and objectives with start and completion dates, major milestones or special events, important deadlines, scheduled reports and evaluations, and as special requirements by the funding source. This time line will clearly show the ability of the agency to complete the program requirements by September 30, 2017.

The applicant shall state the amounts of the required outcomes that it expects to achieve or that will result from its services and why these outcomes are feasible and demonstrate the effectiveness of services. Projected outcomes shall be submitted on each performance outcome measurement.

The applicant shall describe its program in sufficient detail to provide a complete and comprehensive picture of its total program design. The applicant shall explain how it would provide all of the services required in Section 2.4 namely:

## **A. Client Services**

### **1. Outreach and Intake**

The applicant shall clearly identify and describe the geographic area(s) and the targeted population groups that it proposes to serve. The applicant shall demonstrate, with demographic data and other documentation, that the geographic area(s) it proposes to serve contains significant numbers of the target population of this RFP there is a determined need for the services, the services available to the area are insufficient to fill the need, and the extent of services proposed for each area will effectively address the needs.

For this service the applicant must state their ability to conduct outreach activities to the eligible population to generate program interest and multiple applications. The applicant should provide an outreach plan and a comprehensive intake system determining each client's eligibility according to U.S. DOE guidance and any other additional restrictions mandated by the State.

### **2. Client Eligibility and Selection for Remediation Services**

Describe the selection procedures used to ensure that major measures (SWHs and refrigerators) are to be given to households that are most in need. (Selection criteria are derived from 10 CFR 440.16 and 10 CFR 440.22.)

### **3. Building Eligibility**

The applicant shall describe its procedures for determining structures that are eligible for weatherization and its certification process to ensure that the household meets eligibility criteria.

### **4. Energy Conservation Education**

The applicant shall include a detailed energy conservation awareness plan that conveys the purpose and use of each energy efficiency or health and safety device to each client serviced. This education should also be sufficient for each client to understand basic energy conservation behavior, the composition

of their electric bill, and other factors affecting overall energy usage. The applicant may demonstrate this through use of evidence-based curricula or other means. The applicant should demonstrate that the plan is able to reach as many persons in the client community as reasonably practical.

## **B. Installation Services**

### **1. Dwelling Unit Assessment and Energy Audit**

The applicant must demonstrate the ability to determine energy efficiency measures appropriate for the dwelling unit and pertinent health and safety issues possibly arising from appliances or equipment installed or missing from the household. The applicant should describe their capacity to carry out health and safety risk mitigation in the context of their budget request. The applicant must describe its process to conduct an energy audit of each dwelling prior to installation of such devices.

### **2. Installation of Energy Devices or Health and Safety Devices**

The applicant shall state how many major remediation measures it plans to install and describe a compensation plan for such installations. The applicant should address its capacity to install all devices appropriate to each home. The applicant should describe the licensure of the individuals performing the work, if applicable.

### **3. Installation of Minor Remediation Measures**

The applicant shall state how many minor remediation measures it plans to install and describe a compensation plan for such installations.

### **4. Post-Installation Monitoring and Follow-Up**

The applicant shall describe in detail their post-installation monitoring process and follow-up procedures.

## **3.6 Financial**

### **A. Pricing Structure**

Applicant shall submit a cost proposal utilizing the pricing structure designated by the State purchasing agency. The cost proposal shall be attached to the proposal application. This cost proposal should account for the proposed compensation and method of payment.

#### **1. Pricing Structure Based on Fee-for-Service**

The fee-for-service pricing structure reflects a purchase arrangement in which the State pays the contractor upon documentation of delivering the agreed upon services specified in the contract, up to a stated maximum obligation. The proposal should reflect the primary budget expenditure categories (administrative expenses, program expenses, and training and technical assistance) mandated by the U.S. DOE, including any additional requirements imposed by Federal and State Cost Principles.

## **2. Budget Forms**

As applicable, provide a budget with line-item detail and detailed calculations for each budget object class identified in the budget forms below. Detailed calculations must include estimation methods, quantities, unit costs, and other similar quantitative detail sufficient for the calculation to be duplicated.

All budget forms, instructions and samples are located on the SPO website (see Section 1.2). The following budget forms shall be submitted with the Proposal Application:

- a.** SPOH-205 Proposal Budget for FY 2015-2016
- b.** SPOH-206A Budget Justification – Personnel: Salaries and Wages
- c.** SPOH-206B Budget Justification – Personnel: Payroll Taxes, Assessment, and Fringe Benefits
- d.** SPOH-206E Budget Justification – Contractual Services: Administrative
- e.** SPOH-206F Budget Justification – Contractual Services: Subcontracts
- f.** SPOH-206H Budget Justification – Program Activities

The applicant shall also utilize and refer to form SPOH-201, HRS Chapter 103F, Cost Principles in Purchases of Health and Human Services, in preparing its cost proposal.

In completing the required budget forms, the applicant should consider the evaluation criteria contained in Section 4 of this RFP, whereby the comprehensiveness of the information presented and the justification of all cost items are particularly important factors. If more space is needed to fully explain and justify the proposed cost items, the applicant should attach additional sheets as necessary.

## **3. Budget Justification**

The budget justification should be in a narrative form. It evaluates the appropriateness and reasonableness of program costs in relation to anticipated program activities and planned outcomes.

### **a. Personnel**

Description: Costs of employee salaries and wages.

Justification: Identify key program staff if known at the time of application. For each staff person, provide title, time commitment to the program as a percentage or full-time equivalent, and annual salary.

**b. Fringe**

Description: Costs of employee fringe benefits unless treated as part of an approved indirect cost rate.

Justification: Provide a breakdown of the amounts and percentages that comprise fringe benefits, payroll taxes and assessment costs such as health insurance, FICA, retirement, unemployment insurance, social security, etc.

**c. Contractual**

Description: Costs of all contracts for services and goods except for those that belong under other categories such as equipment, supplies, etc. Include third-party evaluation contracts, if applicable, and contracts with secondary recipient organizations, including delegate agencies and specific project(s) or businesses to be financed by the applicant.

Whenever the applicant intends to delegate part of the program to another agency, the applicant must provide a detailed budget and budget narrative for each delegate agency, by agency title, along with the required supporting information.

Justification: Demonstrate that all procurement transactions will be conducted to the maximum extent practical, in a manner to encourage, open and free competition.

**d. Program Activities**

Description: Costs of all services directly related to the program, such as materials, labor, and any other costs not related to personnel costs.

Justification: Demonstrate all material and labor costs are appropriate and reasonable for the amount of work being performed

**e. Training and Technical Assistance Activities**

Description: Costs associated with attendance at conferences and training events, evaluation of program outcomes, and client education.

Justification: Demonstrate the need for training and technical assistance activities and provide a breakdown of costs for proposed training and technical assistance activities.

**B. Accounting System**



The applicant shall provide, as part of its cost proposal, its most recent independent financial audit, with any accompanying management letter, to demonstrate the adequacy of its accounting system. The requirements for an adequate accounting system may include, but is not limited to, keeping accurate procurement and financial records required by law, the State purchasing agency, or the SPO providing required cost data in acceptable form and in a timely manner; and compliance with generally accepted accounting principles. Other documents may be submitted if relevant.

### **3.7 Other**

#### **A. Litigation**

The applicant shall disclose and explain any pending litigation to which they are a party, including the disclosure of any outstanding judgment.

## **Section 4**

### **Proposal Evaluation**

## Section 4

### Proposal Evaluation

#### 4.1 Introduction

The evaluation of proposals received in response to the RFP will be conducted comprehensively, fairly and impartially. Structural, quantitative scoring techniques will be utilized to maximize the objectivity of the evaluation.

#### 4.2 Evaluation Process

The procurement officer or an evaluation committee of designated reviewers selected by the head of the State purchasing agency or procurement officer shall review and evaluate proposals. When an evaluation committee is utilized, the committee will be comprised of individuals with experience in, knowledge of, and program responsibility for program service and financing.

The evaluation will be conducted in three phases as follows:

- Phase 1 – Evaluation of Proposal Requirements
- Phase 2 – Evaluation of Proposal Application
- Phase 3 – Recommendation for Award

#### Evaluation Categories and Thresholds

##### Evaluation Categories

##### *Administrative Requirements*

##### Possible Points

**No points allotted, however failure to comply with administrative requirements shall result in rejection of RFP (See Section 4.3 (A))**

##### *Proposal Application*

Program Overview	0 points
Experience and Capability	20 points
Staffing and Program Organization	15 points
Service Delivery	55 points
Financial	10 points
Other (Litigation)	0 points

##### **100 Points**

##### **TOTAL POSSIBLE POINTS**

##### **100 Points**

## 4.3 Evaluation Criteria

### A. Phase 1 - Evaluation of Proposal Requirements

#### 1. Administrative Requirements

The applicant must consider the WAP State Plan and the U.S. DOE approved priority list for the State of Hawaii for guidance. Grant awards made under this RFP shall be in compliance with applicable law; including regulations contained in 10 CFR Part 440 (issued February 1, 2002), the Energy Policy Act of 2005, the Energy Independence and Security Act of 2007, the Federal Fund Accountability and Transparency Act, and other guidance.

The applicant's proposal must account for grant guidance and management information provisions for the Low-Income WAP for PY16 issued by Federal and State agencies such as U.S. DOE, OMB, and SPO. All guidance, including technical assistance and suggestions, are available on the Weatherization Technical Assistance Center website: [www.waptac.org](http://www.waptac.org).

Proposals that do not comport with applicable Federal, State, or local government regulations or guidance will be rejected.

#### 2. Proposal Application Requirements

- Proposal Application Identification Form (Form SPOH-200)
- Table of Contents
- Program Overview
- Experience and Capability
- Staffing and Program Organization
- Service Delivery
- Financial (All required forms and documents)
- Other (Litigation)

### B. Phase 2 – Evaluation of Proposal Application (100 Points)

1. **Program Overview:** No points are assigned to Program Overview. The intent is to give the applicant an opportunity orient evaluators as to the service(s) being offered.

## 2. Experience and Capability (20 Points)

### a. *Necessary Skills (5 Points)*

- Identifies and demonstrates skills, abilities, and knowledge relating to the delivery of the proposed services.

### b. *Experience (3 Points)*

- Demonstrates at least 1 year prior experience with weatherization or other similar services. Provides all of the following information with respect to previous experience: contracting agency, contact person, address, telephone number or e-mail address, contract/program title, contract period, funding amount, and performance outcomes. In addition, the applicant shall provide a copy of relevant reports or information relating to contract/program performance.

### c. *Quality Assurance and Evaluation (5 Points)*

- Has a written quality assurance plan and a written evaluation plan timely and sufficient for all proposed services, with a reasonable and relevant methodology and detects and addresses issues/problems in a timely manner.
- Applicant has written policies and procedures required for all of the services/installations including personnel standards, operating procedures, eligibility determination, documentation, record keeping, data gathering, reporting, and financial administration.

### d. *Coordination of Services (5 Points)*

- Demonstrates capability to outreach and coordinate services with other existing agencies and resources in the community.
- Describes proposed partnerships or cooperative agreements with other public or private agencies that will assist the applicant in providing high quality WAP services and list partners.

### e. *Facilities (2 Points)*

- Demonstrates that applicant would provide adequate facilities (i.e., location(s), description of facilities, available technology and resources, special equipment) for the services proposed that are ADA compliant and other applicable laws and regulations or describes, in detail, why facilities are unnecessary.

## 3. Staffing and Program Organization (15 Points)

**a. Staffing (8 Points)**

- Has proposed staffing assignments, client/staff ratio and proposed caseload capacity that is reasonable to ensure viability of the services.
- Provide resumes, employment history, responsibilities, program experience, or other documents to substantiate fulfillment of qualifications.
- If subcontractors or volunteers are used, demonstrates that use is as or more effective than applicant staff and work will be completed in accordance with requirements of this RFP.

**b. Program Organization (7 Points)**

- Demonstrates that the program organization is sufficient for administration of WAP services and applicant has the ability to supervise, train, and provide administrative direction to staff, subcontractors, or volunteers relative to the delivery of the proposed services.
- Program and agency-wide organization charts demonstrate both the applicant's program and agency organization is sufficient to effectively administer, manage, and provide the required services.

**4. Service Delivery (55 Points)****a. Client Services (25 Points)**

- Demonstrates with demographic data and other documentation that the geographic area(s) it proposes to serve contains significant numbers of the target population of the RFP, there is a determined need for the services, and the services available to the area are insufficient to fill the need. Based on demographic data provided, demonstrates that the extent of services proposed for each area will effectively address needs.
- Provides a complete intake process that determines each client's eligibility and appropriately collects data. Provides a record retention policy that follows program guidance.
- Describes the selection procedures used to ensure that major weatherization measures are given to eligible households that are most in need.
- Describes energy conservation community awareness plan that would implement broad reaching energy conservation education services.

**b. Installation Services (30 Points)**

- State the number of the required outcomes that applicant proposes to provide, and ability to utilize the proper

instruments and measuring tools to evaluate and confirm outcomes. Demonstrates that applicant proposes feasible, effective amounts of program outcomes.

- Explains how applicant would provide dwelling unit assessment and energy audit, installation of energy efficiency or health and safety devices, and post-installation monitoring and follow-up.
- Demonstrates that applicant's program design is comprehensive and complete, by explaining in sufficient detail all services and information required including, but not limited to, descriptions of service locations, program tasks, activities, time lines, and other pertinent information.
- Demonstrates internal capacity or be able to generate or procure capacity to install all devices appropriate to each eligible home.
- Describes the licensure and training of individuals performing the work, if applicable.

## **5. Financial (10 Points)**

### **a. Pricing Structure (7 Points)**

- Demonstrates applicant's cost proposed is reasonable and necessary by providing adequate information and justification for all cost items and explanation of applicant's method of allocation of indirect costs. Demonstrates that the applicant has a need for the amount requested for the proposed services. All budget forms required by this RFP are complete.

### **b. Accounting System (3 Points)**

- Demonstrates, through narrative required, most recent independent audit, and any other appropriate documentation, the adequacy of applicant's accounting system and procedures to assure proper and sound fiscal administration of funding.

- 6. Other (Litigation):** No points are assigned to Other (Litigation). The applicant shall disclose and explain any pending litigation to which it is a party. Disclosure shall also include any pending judgment.

## **C. Phase 3 – Recommendation for Award**

Each notice of award shall contain a statement of findings and decision for the award or non-award of the contract to each applicant.

Each award shall consider the responsiveness of the applicant to the specifications outlined in the request for proposals and the responsibility of the applicant to perform the services. “Responsibility” in this context means the ability of an applicant to perform the required services based on experience, capacity, agency size and staffing, and other factors that may affect the service.

OCS reserves the right not to select and award the lowest price proposal application. OCS may decide at its discretion not to select and award any of the submitted applications.



# **Section 5**

## **Attachments**

- A. Proposal Application Checklist
- B. Sample Table of Contents
- C. Program Outcome and Measure Installation Proposal Table
- D. Federal Certifications

## Proposal Application Checklist

Applicant: \_\_\_\_\_ RFP No.: \_\_\_\_\_

The applicant's proposal must contain the following components in the order shown below. Return this checklist to the purchasing agency as part of the Proposal Application. SPOH forms are on the SPO website.

Item	Reference in RFP	Format/Instructions Provided	Required by Purchasing Agency	Applicant to place "X" for items included in Proposal
<b>General:</b>				
Proposal Application Identification Form (SPOH-200)	Section 1, RFP	SPO Website*	<b>X</b>	
Proposal Application Checklist	Section 1, RFP	Attachment A	<b>X</b>	
Table of Contents	Section 5, RFP	Section 5, RFP	<b>X</b>	
Proposal Application (SPOH-200A)	Section 3, RFP	SPO Website*	<b>X</b>	
Provider Compliance	Section 1, RFP	SPO Website*		
Cost Proposal (Budget)				
SPOH-205	Section 3, RFP	SPO Website*	<b>X</b>	
SPOH-205A	Section 3, RFP	SPO Website* Special Instructions are in Section 5		
SPOH-205B	Section 3, RFP,	SPO Website* Special Instructions are in Section 5		
SPOH-206A	Section 3, RFP	SPO Website*	<b>X</b>	
SPOH-206B	Section 3, RFP	SPO Website*	<b>X</b>	
SPOH-206C	Section 3, RFP	SPO Website*		
SPOH-206D	Section 3, RFP	SPO Website*		
SPOH-206E	Section 3, RFP	SPO Website*	<b>X</b>	
SPOH-206F	Section 3, RFP	SPO Website*	<b>X</b>	
SPOH-206G	Section 3, RFP	SPO Website*		
SPOH-206H	Section 3, RFP	SPO Website*	<b>X</b>	
SPOH-206I	Section 3, RFP	SPO Website*		
SPOH-206J	Section 3, RFP	SPO Website*		
<b>Certifications:</b>				
<b><i>Federal Certifications</i></b>				
Debarment & Suspension		Section 5, RFP	<b>X</b>	
Drug Free Workplace		Section 5, RFP	<b>X</b>	
Lobbying		Section 5, RFP	<b>X</b>	
Program Fraud Civil Remedies Act		Section 5, RFP	<b>X</b>	
Environmental Tobacco Smoke		Section 5, RFP	<b>X</b>	
<b>Program Specific Requirements:</b>				

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date

## Proposal Application Table of Contents

<b>I.</b>	<b>Program Overview .....</b>	<b>1</b>
<b>II.</b>	<b>Experience and Capability .....</b>	<b>1</b>
<b>A.</b>	Necessary Skills .....	2
<b>B.</b>	Experience.....	4
<b>C.</b>	Quality Assurance and Evaluation.....	5
<b>D.</b>	Coordination of Services.....	6
<b>E.</b>	Facilities .....	6
<b>III.</b>	<b>Project Organization and Staffing .....</b>	<b>7</b>
<b>A.</b>	Staffing.....	7
	1. Proposed Staffing.....	7
	2. Staff Qualifications .....	9
<b>B.</b>	Project Organization .....	10
	1. Supervision and Training.....	10
	2. Organization Chart (Program & Organization-wide) (See Attachments for Organization Charts)	
<b>IV.</b>	<b>Service Delivery .....</b>	<b>12</b>
<b>V.</b>	<b>Financial.....</b>	<b>20</b>
	See Attachments for Cost Proposal	
<b>VI.</b>	<b>Litigation.....</b>	<b>20</b>
<b>VII.</b>	<b>Attachments</b>	
<b>A.</b>	Cost Proposal	
	SPOH-205 Proposal Budget	
	SPOH-206A Budget Justification - Personnel: Salaries & Wages	
	SPOH-206B Budget Justification - Personnel: Payroll Taxes and Assessments, and Fringe Benefits	
	SPOH-206C Budget Justification - Travel: Interisland	
	SPOH-206E Budget Justification - Contractual Services – Administrative	
<b>B.</b>	Other Financial Related Materials	
	Financial Audit for fiscal year ended June 30, 2011	
<b>C.</b>	Organization Chart	
	Program	
	Organization-wide	
<b>D.</b>	Performance and Output Measurement Tables	
	Table A	
<b>E.</b>	Program Specific Requirements	

**PROGRAM OUTCOME MEASUREMENTS**  
**WEATHERIZATION ASSISTANCE PROGRAM**  
**MONTHLY PROGRAM REPORT**

Agency Name:	
Contract Period:	10/01/2016 - 09/30/2017
Reporting Period:	

	Month	OCT	NOV	DEC	Quarter to date	Year to date
	Year	2016	2016	2016		
A. TOTAL ENERGY SAVINGS (final report only)						
B. TOTAL NUMBER OF UNITS COMPLETED						
1. AVERAGE COST PER UNIT COMPLETED						
2. UNITS BY TYPE (Indicate number of completed units)						
Owner-Occupied Single-Family Unit						
Rental Single-Family Unit						
Owner Multi-Family (4 or less units per site)						
Rental Multi-Family (4 or less units per site)						
Owner Multi-Family (5 or more units per site)						
Rental Multi-Family (5 or more units per site)						
Shelter						
3. WHAT PRIORITY CLASSIFICATION DOES THE UNIT MEET?						
Elderly-Occupied (age 65 years and over)						
Disabled-Occupied						
Native American-Occupied						
Children-Occupied (under 5 years old)						
High Residential Energy User						
Household with High Energy Burden						
4. UNITS BY PRIMARY HEATING FUEL (Indicate number of units)						
Natural Gas						
Fuel Oil						
Electricity						
Propane/LPG						
Kerosene						
Wood						
Other Fuel						
No Heating System						
5. WEATHERIZATION MEASURES COMPLETED (Indicate number of measures installed)						
High-efficiency Showerheads (HESH)						
High-efficiency Faucet Aerators (HEFA)						
Compact Fluorescent Light Bulbs (CFLs)						
Small Room Air Conditioner Replacement (A/C)						
Solar Water Heater (SWH)						
Hybrid Electric Water Heaters (HEWH)						

Organization: \_\_\_\_\_  
RFP No: \_\_\_\_\_

Refrigerator Replacement					
<b>C. TOTAL PEOPLE ASSISTED (Indicate number of people assisted in each category)</b>					
Elderly (age 65 years and over)					
Persons with Disabilities					
Native American					
Children (under 5 years old)					
<b>D. Leveraged Units (units completed with other funds not included in WAP budget)—Provide a dollar estimate of how much funds were leveraged to support WAP program in your agency.</b>					

#### PROGRAM NARRATIVE

Please describe in detail the weatherization measure(s) that were **completed**, and the households that received the benefits of this program. Include in this narrative, 1) number and description of all outreach event(s) and method(s) that were conducted and the result of that outreach; 2) process of client selection; 3) number and status of installations and justification for the type of weatherization measures received; 4) the type(s) of consumer education conducted; 5) follow up or monitoring visitations conducted to households that previously received weatherization measures to ensure energy-savings; and 6) trainings that the program staff/volunteers/auditor/installer/subcontractor received or will receive.

Name of person submitting this report and title:	Date:
Signature of person submitting this report:	

## DEPARTMENT OF HEALTH AND HUMAN SERVICES CERTIFICATIONS

### 1. CERTIFICATION REGARDING DEBARMENT AND SUSPENSION

The undersigned (authorized official signing for the applicant organization) certifies to the best of his or her knowledge and belief, that the applicant, defined as the primary participant in accordance with 45 CFR Part 76, and its principals:

- (a) are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal Department or agency;
- (b) have not within a 3-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) are not presently indicted or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and
- (d) have not within a 3-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

Should the applicant not be able to provide this certification, an explanation as to why should be placed after the assurances page in the application package.

The applicant agrees by submitting this proposal that it will include, without modification, the clause titled "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion--Lower Tier Covered Transactions" in all lower tier covered transactions (i.e., transactions with sub-grantees and/or contractors) and in all solicitations for lower tier covered transactions in accordance with 45 CFR Part 76.

### 2. CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

The undersigned (authorized official signing for the applicant organization) certifies that the applicant will, or will continue to, provide a drug-free workplace in accordance with 45 CFR Part 76 by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing an ongoing drug-free awareness program to inform employees about--
  - (1) The dangers of drug abuse in the workplace;
  - (2) The grantee's policy of maintaining a drug-free workplace;
  - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
  - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a) above;
- (d) Notifying the employee in the statement required by paragraph (a), above, that, as a condition of employment under the grant, the employee will--
  - (1) Abide by the terms of the statement; and
  - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (e) Notifying the agency in writing within ten calendar days after receiving notice under paragraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

- (f) Taking one of the following actions, within 30 calendar days of receiving notice under paragraph (d) (2), with respect to any employee who is so convicted--
  - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
  - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

For purposes of paragraph (e) regarding agency notification of criminal drug convictions, the DHHS has designated the following central point for receipt of such notices:

Office of Grants and Acquisition Management  
 Office of Grants Management  
 Office of the Assistant Secretary for Management and Budget  
 Department of Health and Human Services  
 200 Independence Avenue, S.W., Room 517-D  
 Washington, D.C. 20201

### 3. CERTIFICATION REGARDING LOBBYING

Title 31, United States Code, Section 1352, entitled "Limitation on use of appropriated funds to influence certain Federal contracting and financial transactions," generally prohibits recipients of Federal grants and cooperative agreements from using Federal (appropriated) funds for lobbying the Executive or Legislative Branches of the Federal Government in connection with a SPECIFIC grant or cooperative agreement. Section 1352 also requires that each person who requests or receives a Federal grant or cooperative agreement must disclose lobbying undertaken with non-Federal (nonappropriated) funds. These requirements apply to grants and cooperative agreements EXCEEDING \$100,000 in total costs (45 CFR Part 93).

#### Certification for Contracts, Grants, Loans and Cooperative Agreements

The undersigned (authorized official signing for the applicant organization) certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the under-signed, to

any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

- (2) If any funds other than Federally appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions. (If needed, Standard Form-LLL, "Disclosure of Lobbying Activities," its instructions, and continuation sheet are included at the end of this application form.)
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

#### Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall

complete and submit Standard Form –LLL, “Disclosure Form to Report Lobbying,” in accordance with its instructions.

#### **4. CERTIFICATION REGARDING PROGRAM FRAUD CIVIL REMEDIES ACT (PFCRA)**

The undersigned (authorized official signing for the applicant organization) certifies that the statements herein are true, complete, and accurate to the best of his or her knowledge, and that he or she is aware that any false, fictitious, or fraudulent statements or claims may subject him or her to criminal, civil, or administrative penalties. The undersigned agrees that the applicant organization will comply with the Public Health Service terms and conditions of award if a grant is awarded as a result of this application.

#### **5. CERTIFICATION REGARDING ENVIRONMENTAL TOBACCO SMOKE**

Public Law 103-227, also known as the Pro-Children Act of 1994 (Act), requires that smoking not be permitted in any portion of any indoor facility owned or leased or contracted for by an entity and used routinely or regularly for the provision of health, day care, early childhood development services, education or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments, by Federal grant, contract, loan, or loan guarantee. The law also applies to children’s services that are provided in indoor facilities that are constructed,

operated, or maintained with such Federal funds. The law does not apply to children’s services provided in private residence, portions of facilities used for inpatient drug or alcohol treatment, service providers whose sole source of applicable Federal funds is Medicare or Medicaid, or facilities where WIC coupons are redeemed.

Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to \$1,000 for each violation and/or the imposition of an administrative compliance order on the responsible entity.

By signing the certification, the undersigned certifies that the applicant organization will comply with the requirements of the Act and will not allow smoking within any portion of any indoor facility used for the provision of services for children as defined by the Act.

The applicant organization agrees that it will require that the language of this certification be included in any subawards which contain provisions for children’s services and that all subrecipients shall certify accordingly.

The Public Health Services strongly encourages all grant recipients to provide a smoke-free workplace and promote the non-use of tobacco products. This is consistent with the PHS mission to protect and advance the physical and mental health of the American people.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE	
APPLICANT ORGANIZATION		DATE SUBMITTED